

Amy F. Sorenson, Esq.  
Nevada Bar No. 12495  
Blakeley E. Griffith, Esq.  
Nevada Bar No. 12386  
Holly E. Cheong, Esq.  
Nevada Bar No. 11936  
SNELL & WILMER L.L.P.  
3883 Howard Hughes Parkway, Suite 1100  
Las Vegas, Nevada 89169  
Telephone: 702-784-5200  
Facsimile: 702-784-5252  
Email: asorenson@swlaw.com  
bgriffith@swlaw.com  
hcheong@swlaw.com

*Attorneys for Defendant Bank of America, N.A.*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

RICHARD ZEITLIN, ADVANCED  
TELEPHONY CONSULTANTS, MRZ  
MANAGEMENT, LLC, DONOR  
RELATIONS, LLC, TPFE, INC., AMERICAN  
TECHNOLOGY SERVICES, COMPLIANCE  
CONSULTANTS, CHROME BUILDERS  
CONSTRUCTION, INC., UNIFIED DATA  
SERVICES;

Plaintiffs,

v.

BANK OF AMERICA, N.A. and JOHN AND  
JANE DOES 1-100,

Defendants.

Case No.: 2:18-cv-01919-RFB-BNW

**UNOPPOSED MOTION TO REDACT  
MOTIONS TO SEAL AND  
SUPPORTING DECLARATIONS, ECF  
NOS. 247, 248, 247-1, AND 248-1**

Defendant Bank of America, N.A. (“BANA”), by and through their respective undersigned counsel of record, submits this Unopposed Motion to Redact Motions to Seal and Supporting Declarations, ECF Nos. 247, 248, 247-1, and 248-1 (“Motion to Redact”).

This Motion to Redact is based on the Memorandum of Points and Authorities below, the papers and pleadings on file with the Court, and any oral argument that this Court may entertain on behalf of BANA.

**MEMORANDUM OF POINTS AND AUTHORITIES**

On July 20, 2022, this Court granted BANA's Motions to Seal ECF Nos. 247 and 248, in part, sealing all the documents discussed in the Motions. (ECF No. 251.) However, this Court only ordered that the Motions to Seal themselves, and the supporting declarations, be sealed for 30 days. (*Id.*) BANA now requests permission to re-file redacted versions of the Motions to Seal and supporting declarations, keeping the unredacted versions sealed. Redacted versions of those filings are attached for the Court's review.

If a party seeks to seal judicial records "unrelated, or only tangentially related, to the underlying cause of action[.]" they must only show good cause. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1179-80 (9th Cir. 2006) (internal quotation marks and citations omitted). The Motions to Seal and supporting declarations merely seek to seal documents attached to certain motions to compel, tangentially related to the litigation. Good cause exists to redact the Motions to Seal and supporting declarations because, like the documents considered in the Motions, the Motions to Seal also discuss confidential, non-public investigative processes and procedures. Good cause also exists to seal documents containing "sensitive business information" or other "proprietary information . . . the release of which could be harmful to [a parties'] business." *See Aevoe Corp. v. AE Tech. Co.*, No. 2:12-CV-00053-GMN, 2013 WL 2302310, at \*1-2 (D. Nev. May 24, 2013); *see also Youtoo Technologies, Inc. v. Twitter, Inc.*, 3:17-cv-00414-LRH-WGC, 2017 WL 3396496, at \*2 (D. Nev. Aug. 7, 2017) (finding good cause to seal documents containing confidential, non-public information).

The language redacted from the Motions to Seal and associated declarations is reflective of BANA's internal, and not publicly known, process for investigating potential illegal activity. *Compare* Proposed Redactions, attached as Exhibits A-D, *with* ECF Nos. 247, 248, 247-1, and 248-1. BANA has a significant interest in maintaining the confidentiality of this process, as it is vital to its ability to prevent potential illegal activity which may be perpetuated through its accounts. BANA's ability to effectively ensure its legitimate interest in detecting potentially illegal activity in its accounts would be impaired if its methods were made public. Allowing the open dissemination of this information will impair BANA's ability to prevent the use of its

accounts for illegal activities. Redaction would also be consistent with this Court's past orders, which permitted redaction of BANA's joinder to Plaintiffs' motion to seal. (See ECF No. 135.)

### **CONCLUSION**

For the reasons stated herein, BANA respectfully requests that this Court enter an order granting BANA leave to redact and refile its Motions to Seal and supporting declarations, ECF Nos. 247, 248, 247-1, and 248-1, consistent with the attached exhibits. BANA also requests that ECF Nos. 247, 248, 247-1, and 248-1 remain sealed.

Dated: August 4, 2022

SNELL & WILMER L.L.P.

/s/ Holly E. Cheong

Amy F. Sorenson, Esq.

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Blakeley E. Griffith, Esq.

Nevada Bar No. 12386

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3883 Howard Hughes Parkway, Suite 1100

Las Vegas, NV 89169

*Attorneys for Defendant Bank of America,  
N.A.*

### **ORDER**

**IT IS SO ORDERED**

**DATED:** 2:53 pm, August 11, 2022



**BRENDA WEKSLER**

**UNITED STATES MAGISTRATE JUDGE**

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing **UNOPPOSED MOTION TO REDACT MOTIONS TO SEAL AND SUPPORTING DECLARATIONS, ECF NOS. 247, 248, 247-1, AND 248-1** with the Clerk of the Court for the U. S. District Court, District of Nevada by using the Court's CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

DATED: August 4, 2022.

/s/ Maricris Williams  
An Employee of Snell & Wilmer L.L.P.

**INDEX OF EXHIBITS**

<b>Exhibit No.</b>	<b>Description</b>	<b>No. of Pages</b>
A	Proposed Redaction of ECF No. 247	16
B	Proposed Redaction of ECF No. 247-1	6
C	Proposed Redaction of ECF No. 248	11
D	Proposed Redaction of ECF No. 248-1	4

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